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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (CINCINNATI)

U.S. DISTRICT COURT  
SOUTHERN DIST OHIO  
WEST DIV CINCINNATI

GMAC REAL ESTATE, LLC,	)	CASE NO. 1:07-CV-00454
	)	
Plaintiff,	)	
	)	JUDGE SANDRA S. BECKWITH
v.	)	
	)	
LEN KOOGLER, INC., ET AL,	)	<u>PERMANENT INJUNCTION BY</u>
	)	<u>CONSENT</u>
Defendants.	)	

THIS MATTER having been brought to the Court by way of a Verified Complaint and Motion for Temporary Restraining Order and Preliminary and Permanent Injunction filed by Plaintiff GMAC Real Estate, LLC ("GMACRE"), by its attorneys, Hahn Loeser & Parks LLP (Arthur M. Kaufman, Esq., appearing), for the entry of a temporary restraining order against Defendants Len Koogler, Inc. (d/b/a Koogler Realtors), Len Koogler, Inc. (d/b/a Koogler/Eyre Realtors GMAC Real Estate), Len Koogler Realtors, Inc., Len Koogler, and Linda Koogler (collectively the "Defendants"), pursuant to Fed. R. Civ. P. 65, to enjoin the Defendants from any further use of the GMACRE trade names or service marks (the "GMACRE Marks"), and it appearing that the parties hereto have consented to the terms and conditions of the within Order and good cause having been shown:

IT IS on this 12<sup>TH</sup> day of July, 2007,

**ORDERED** that the Defendants and their employees, agents, members, affiliates, subsidiaries, officers, directors, independent contractors, and all those who act in concert or participation with them, are hereby permanently enjoined and restrained from utilizing, marketing, and/or promoting real estate brokerage services and other related real estate businesses through the use of the "GMAC Real Estate®" trade name, service marks, and logos

(the "GMACRE Marks"), as well as representing and holding out to the public that the Defendants are members of the GMACRE franchise system, and it is further

**ORDERED** that the permanent injunction described above encompasses, but is not limited to, the use of any and all real estate signs, road signs, billboards, banners, print or telecommunications advertisements, websites, drafts, labels, road signs, banners, signs, flyers, stationary, envelopes, applications, booklets, brochures, catalogues, circulars, pamphlets, periodicals, bulletins, instructions, minutes, other communications, purchase orders, contracts, agreements, options to purchase, deeds, memoranda of agreements, assignments, licenses, books of account, orders, accounts, working papers, and/or plans that contain, employ, or relate in any manner to the GMACRE Marks, or to any names and marks confusingly similar to the GMACRE Marks, and it is further

**ORDERED** that the permanent injunction described above further encompasses, but is not limited to, the use of any data, metadata, and/or any use of electronic information or data that can be used to direct or guide Internet users to any of the Defendants' websites, including but not limited to, [www.koogler-evre.com](http://www.koogler-evre.com), and it is further

**ORDERED** that a copy of this Order shall be served upon the Defendants by overnight delivery within five (5) days of the date hereof.

Date: \_\_\_\_\_

July 12, 2007

  
Sandra S. Beckwith, U.S.D.J.

The parties consent to the form and entry of this Order:

Respectfully submitted,

OF COUNSEL:

HAHN LOESER & PARKS LLP

/s/ Arthur M. Kaufman

Arthur M. Kaufman - Trial Attorney  
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Attorney for Plaintiff GMAC Real Estate, LLC

On behalf of Len Koogler, Inc. (d/b/a Koogler  
Realtors)

Len Koogler  
Name (printed): LEN KOOGLER

Title: Broker

On behalf of Len Koogler, Inc. (d/b/a  
Koogler/Eyre Realtors GMAC Real Estate)

Len Koogler  
Name (printed): LEN KOOGLER

Title: Partner

On behalf of Len Koogler Realtors, Inc.

Len Koogler  
Name (printed): LEN KOOGLER

Title: Pres.

Len Koogler

Len Koogler

Linda Koogler

Linda Koogler